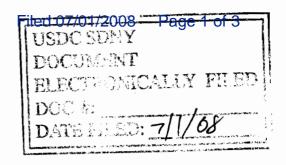
## UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

IN RE LOWER MANHATTAN DISASTER SITE LITIGATION

THIS DOCUMENT APPLIES TO ALL LOWER MANHATTAN DISASTER SITE LITIGATION



21 MC 102 (AKH)

STIPULATION OF DISCONTINUANCE AND COURT ORDER

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned, the attorneys of record for the parties to the actions listed in "Schedule A" attached hereto, that whereas no party hereto is an infant or incompetent person for whom a committee has been appointed and no person not a party has an interest in the subject matter of the action, the above-entitled actions be, and the same hereby are discontinued without prejudice as against THE BANK OF NEW YORK MELLON CORPORATION, As Successor To THE BANK OF NEW YORK COMPANY, INC., THE BANK OF NEW YORK, ONE WALL STREET HOLDINGS LLC, 4101 AUSTIN BLVD CORPORATION and THE BANK OF NEW YORK TRUST COMPANY, N.A., and as to the 130 Liberty Street locations only, without costs to either party as against the other.

IT IS FURTHER STIPULATED AND AGREED, that should evidence be discovered throughout the course of the litigation which determines that *THE BANK OF NEW YORK MELLON CORPORATION*, As Successor To THE BANK OF NEW YORK COMPANY, INC., THE BANK OF NEW YORK, ONE WALL STREET HOLDINGS LLC, 4101 AUSTIN BLVD CORPORATION and THE BANK OF NEW YORK TRUST COMPANY, N.A., is a proper party to these suits, plaintiff may reinstitute these actions without regards to the applicable statute of limitations as a defense.

This stipulation may be filed without further notice with the Clerk of the Court.

Dated: New York, New York May 13, 2008

> SEGAL McCAMBRIDGE SINGER & MAHONEY, LTD. Attorneys for The Bank of New York Mellon Corporation, as Successor to The Bank of New York Company, Inc., The Bank of New York, One Wall Street Holdings LLC 4101 Austin Blvd. Corporation, The Bank of New York Trust Company, N.A.

WORBY GRONER EDELMAN & NAPOLI BERN Attorneys for Plaintiff

By: Christian H. Gannon (CG-1621) 830 Third Avenue, Suite 400 New York, New York 10022

(212) 651-7500

By: Christopher R. Lopalo, Esq. (CL-6466) 115 Broadway, 12th Floor New York, New York 10006

(212) 267-3700

so ordered: 6-30-08

## **SCHEDULE A**

## STIPULATION AND ORDER OF DISMISSAL RELATED TO 130 LIBERTY STREET COMPLAINTS FOR THE FOLLOWING PLAINTIFFS:

TOR THE POLLOWING PLAINTING.	
Plaintiff Name	Index # All (AKH)
Freddy Astudillo	07CV1463
Wilmer Astudillo	07CV1561
Richard Avila	07CV11018
Ramiro Bastidas	07CV8278
Włodzimierz Belkowski	07CV05339
Angel Cobos	07CV1483
Zoila Cortez	07CV05344
Zbigniew Dobronski	06CV11533
Carmen Gallego	07CV062
Segundo Garces	07CV1498
Rodolfo Guevara	06 CV3301
Luis Inga	07CV4474
Antoni Konopka	07CV1641
Segundo Leon	07CV8283
Gustavo Mendoza	07CV4494
Ubaldo Misaico	07CV4495
Angel Naranjo	07CV066
Zoila Pastuizaca	07CV05308
Jacqueline Perez	07CV8284
Elsa Puma	07CV11023
Maria Puma	07CV1688
Carlos Riera	07CV1518
Susana Rodriguez	07CV05315
Jose Vasquez	07CV2708
Kazimierz Walek	07CV05327
	Freddy Astudillo Wilmer Astudillo Richard Avila Ramiro Bastidas Wlodzimierz Belkowski Angel Cobos Zoila Cortez Zbigniew Dobronski Carmen Gallego Segundo Garces Rodolfo Guevara Luis Inga Antoni Konopka Segundo Leon Gustavo Mendoza Ubaldo Misaico Angel Naranjo Zoila Pastuizaca Jacqueline Perez Elsa Puma Maria Puma Carlos Riera Susana Rodriguez Jose Vasquez